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SUBJECT: BRAZIL: SUPPORTING HUMAN RIGHTS AND DEMOCRACY
REPORT

REF: STATE 267453

1) In October 2002, Brazil's constitutional Government held its fourth general election since the end of military rule in 1985, electing President Luiz Inacio Lula da Silva ("Lula") and members of the legislature in accordance with the 1988 Constitution. In October of this year, nationwide municipal elections elected mayors and city council members in each of the country's 5,563 municipalities. Both elections were held without serious incidents and met international standards.

2) The federal government generally respected human rights, but the human rights record of some states remained poor. Although there were improvements in a few areas, serious problems remained. Police continued to commit numerous abuses including unlawful killings, torture, and excessive use of force. Prison conditions remained harsh and life threatening. The judiciary was inefficient, lacked resources, and was often subject to political and economic influences -- especially at the state level. Judicial officials were often poorly trained and the judicial process remained slow. In many instances, poorer and less educated citizens made limited use of an appeals process that could ensure their right to a fair trial. Violence and discrimination against women, indigenous people, and Afro-Brazilians remained a problem. Child abuse and prostitution, human trafficking, and internal slave labor continued.

3) The human rights and democracy strategy for Brazil focused primarily on improving access to education and employment for Brazil's poor youth, strengthening the judiciary, increasing political participation of unrepresented persons (mainly women and Afro-Brazilians), and combating human trafficking and internal slave labor.

4) In compliance with the Leahy amendment, the Embassy worked closely with the Ministry of Defense and NGOs to thoroughly vet all military units proposed for U.S. training.

5) USAID/Brazil's Disadvantaged Youth Program actively worked to ensure that children and adolescents received access to basic rights. USAID/Brazil also provided at-risk youth with increased access to viable training and employment opportunities. Activities during the year included technical training and life-skill building, corporate mentoring, paid internships, and on-site formal sector training.

6) In addition, USAID provided information and communication technology training to 1,000 youth and educators. Trainees conducted market surveys to identify key factors and barriers considered during the hiring process and launched a campaign to decrease prejudice against young workers from poor communities.

7) During 2004, Ambassador Danilovich welcomed Ambassador Sichan Siv, the U.S. Representative to the United Nations Economic and Social Council. During the visit, Ambassadors Siv and Danilovich met with several high-level Brazilian officials involved in promoting human rights and democracy, including President Lula's Foreign Policy Advisor.

8) In celebration of Brazil's Black Awareness month, former Congresswoman Cardiss Collins (D-IL) spoke at the Federal Senate in Brasilia and addressed groups of students and academics in Brasilia and Salvador, Bahia. Congresswoman Collins spoke about the role of African-Americans in the passage of civil rights legislation during a series of professional training programs on race and gender equality. The Public Affairs section in Brasilia sponsored both events.

9) High profile cases charging judges with corruption and influence peddling were common, and impunity seemed widespread. At the end of 2004, approximately 115 senior judges throughout the country were under investigation. At the end of 2003, approximately six million cases covering a range of crimes and infractions were in the federal courts; the volume in state courts was five times greater. Approximately 16 out of 100 cases reached resolution in 2003. To address these and other judiciary problems, the U.S. government sponsored a number of guest lectures and professors from Harvard University Law School, the University of Texas Law School, and Columbia University, to promote civil and political rights and judicial reform.

10) The Public Affairs Office at the U.S. Embassy in Brasilia and the Lawyers for a Green Planet Institute held the first ever U.S.-Brazil Constitutional Dialogue on The Contemporary Meaning of the Constitution. Professors from the University of Texas Law School and Brazilian Supreme Court Justices discussed the importance of freedom of speech, human rights, and individual and social rights before an audience of judges, prosecutors, lawyers, and law students.

11) Brazil has a significant internal and external human trafficking problem. It is a major source country for women trafficked into prostitution in Europe and bordering countries. Men and children are forced into agricultural labor schemes on farms in the country's interior. The U.S. government considered fighting trafficking in persons a priority and made substantial efforts to do so. To further reduce child labor and associated human rights abuses, the Mission teamed with Partners for the Americas and the Ministries of Labor, Education and Social Assistance, and the Government of Brazil's National Human Rights Secretariat to implement a \$5 million U.S. Labor Department grant to target child labor in Northeast Brazil. More than \$10 million in additional U.S. funding supported the International Labor Organization programs working to combat child and forced labor. In addition, Catholic Relief Services began a program funded by the U.S. Department of Labor to combat forced labor by working with cities that traditionally provided victims for slave labor. The Embassy reinforced the Brazilian Ministry of Justice's efforts at increasing awareness of the human trafficking problem by educating both Brazilian officials and target groups. The Departments of Homeland Security and Justice will receive significant grants for projects to help Brazilian authorities combat trafficking under the President's Initiative Program.

12) During the year, Brazil was selected by the U.S. Government as one of eight countries to receive aid under President Bush's Anti-Trafficking in Persons Initiative. Under this program, the Department of Homeland Security (DHS) in Brasilia will work with the Brazilian Federal Police and the Public Ministry to establish vetted units. DHS will provide the Brazilian government with training and equipment to identify and dismantle international trafficking organizations. Police and prosecutors will be trained to gather evidence and provide intelligence concerning foreign perpetrators and share intelligence with originating countries for the purpose of coordinating investigations and dismantling the criminal organizations.

13) Proposed DHS training includes the identification of TIP violations, modus operandi, trafficking routes, interview techniques, and additional law enforcement training to be used at known trafficking sites, such as international airports, bus stations, and hotels. These vetted units will also function as Airport Response Teams and will assist other Brazilian Law Enforcement Agencies that conduct human trafficking investigations at the Sao Paulo international airport.

14) In May, the U.S. Consulate General in Sao Paulo and the Sao Paulo State Secretary of Justice inaugurated the Sao Paulo Office for the Prevention of Trafficking in Persons. This office conducts public education campaigns, assists victims of human trafficking and sexual exploitation, and refers individual trafficking cases to the Brazilian federal police and state attorneys. The office will also have a center at the Sao Paulo international airport to assist victims that return to Brazil after being trafficked abroad. The office is the first of its kind in Brazil, and because of involvement by Brazil's Ministry of Justice, serves as a model for similar offices that will be opened nationwide. A \$20,000 U.S. government grant to the Sao Paulo Secretary of Justice allowed the office to purchase essential equipment.

15) USAID/Brazil promoted several human rights and democracy programs throughout the year and actively worked to combat human trafficking and sexual exploitation. USAID/Brazil activities included direct service assistance to human trafficking and sexual exploitation victims; shelter strengthening in target areas; referrals to appropriate legal and law enforcement services to facilitate prosecution of perpetrators and dismantle human trafficking networks; promotion of increased coordination between stakeholders and service providers at the local level; and technical assistance to improve the Brazilian human trafficking and sexual exploitation notification system.

16) USAID-funded anti-trafficking activities led to a number of significant achievements during the year. Under the umbrella of a Memorandum of Understanding signed with the Brazilian Secretariat for Human Rights and the Ministry of Social Development, USAID worked to strengthen the nationwide network of government centers that provided emergency health, legal, and psychosocial services to TIP victims. Over 1,300 public agents, including social workers, psychologists, physicians and teachers received USAID-sponsored training during the year, which allowed for the design of local

operational plans and strategies for 2005. During the year, USAID partners identified over 700 cases of commercial sexual exploitation, of which 108 involved illegal trafficking.

17) The Government of Brazil regarded the USAID-supported anti-trafficking program as a model for the country. A report issued during the year by the Brazilian General Accounting Office stated that the USAID-funded program is the most successful and effective initiative that combats human trafficking and sexual exploitation of minors in the country.

18) Upon invitation by the GOB, USAID held a seat, for the second year, on the Inter-Sectoral Commission on Trafficking in Persons and Sexual Exploitation of Children and Adolescents. This Commission is responsible for coordinating anti-trafficking activities.

19) In November, the U.S. Embassy in Brasilia took part in an anti-trafficking Seminar sponsored by the Embassy of Sweden with participation from the Brazilian National Secretary of Justice Claudia Chagas, the U.S. Departments of Homeland Security, Labor and State, NGOs, and the diplomatic community. U.S. Departments of Labor and Homeland Security presentations outlined the U.S. Government's commitment to the fight against human trafficking through the prosecution of offenders, protection of victims, and the creation of programs to prevent future trafficking to an audience composed of the Brazilian federal government officials, NGO representatives, human rights activists, diplomats, and law enforcement officials.

20) Special Ambassador John Miller, head of the State Department's Office to Monitor and Combat Trafficking in Persons, toured Brazil to survey Brazilian efforts at combating human trafficking. Ambassador Miller met with several high-level Brazilian officials, NGO representatives, public prosecutors, and consular representatives.

21) List of USG-funded human rights and democracy programs of \$100,000 or more:

A) Integrated Actions to Combat Trafficking and Sexual Violence against Children and Youth (PAIR)
Implementing agency: Partners of the Americas
Partners: The Brazilian Secretariat of Human Rights and the Ministries of Justice, Social Development, Tourism, Education, and Labor
Funding: USD 300,000
Description: USAID provides training to multi-disciplinary teams in seven municipalities with the GOB's Sentinela programs and in locations with significant reports of sexual exploitation and trafficking.

B) Integrated Action Program to Combat Trafficking and Commercial Sexual Exploitation of Boys and Girls in Brazil
Implementing Agency: International Labor Organization
Partners: the GOB, NGOs, and local universities
Funding: USD 353,000
Description: This USAID-funded program is designed to assist local anti-trafficking programs in identifying, rehabilitating, and reintegrating TIP and sexual exploitation victims into the labor market.

C) Enter Jovem
Implementing Agency: the American Institute for Research
Partners: Local NGOs
Funding: USD 3,200,000 (2003-2006)
Description: Through this program, USAID provides disadvantaged youth between the ages of 16-21 with technical training, life skills building, and access to paid employment.

D) Tourism and Social Responsibility Program
Implementing Agency: Counterpart International
Partners: The Inter-American Development Bank (IDB), the International Youth Foundation, local NGOs and business associations
Funding: USD 638,000 (2003-2005)
Description: This USAID-sponsored program provides disadvantaged youth between the ages of 18-24 with access to training and employment opportunities in the tourism industry through technical training, mentoring, and access to paid employment.

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